



RUSHMOOR
BOROUGH COUNCIL

Section 115(E)
HIGHWAYS ACT 1980

**DESIGN
SPECIFICATION IN
RESPECT OF PERMITS
TO PLACE OBJECTS
(TABLES & CHAIRS)
ON THE HIGHWAY**

1. DESIGN SPECIFICATION

1.1. GENERAL FURNITURE DESIGN

- 1.2. It is expected that all objects, equipment, and furniture etc will comply with all relevant health and safety and fire safety regulations in force for the time being.
- 1.3. All objects, equipment, furniture (tables and chairs etc) and associated fittings, adornments or accessories must be of a high standard both in terms of quality and design and must be of uniform style and maintained in good order and clean condition at all times. It is therefore recommended that all equipment / furniture be capable of being easily and conveniently serviced (**Reason: public safety, hygiene and public health**).
- 1.4. (i) All equipment and furniture must be stable and robust, be of sufficient strength and durability and otherwise suitable for intense outdoor use (**Reason: public safety**).

NB: *Upholstered chairs, cushions and similar effects will not normally be considered acceptable.*

- (ii) Without prejudice to the generality of the above, and so far as is reasonably practicable, all equipment and furniture must be stable and robust or otherwise be capable of being secured (in an acceptable way) to prevent accidental movement and / or resist movement by wind, the draught of passing traffic or mischief (**Reason: public and highway safety**).

NB: *Mass-produced plastic furniture / equipment and similar effects will not usually be considered suitable; being too light to resist movement caused by strong draughts / winds, of insufficient strength and durability for the intensity of use and subject to weathering.*

- 1.5. Equipment and furniture must be capable of being easily wiped down, dried and / or thoroughly cleaned. It is therefore recommended that highly ornate furniture be avoided (**Reason: hygiene and public health**).
- 1.6. All furniture must be fitted with suitable and durable rubberised feet / mouldings or other suitable mountings / fittings that will reduce noise, prevent slippage and movement and otherwise help protect the highway from damage caused by its use. Such feet / fittings to furniture

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must be capable of being maintained in good condition at all times (**Reason: to prevent public nuisance, ensure public safety and public / visual amenity**).

1.7. MATERIALS, PATTERNS, COLOUR & STYLE OF FURNITURE

1.8. (i) Materials, patterns, colours and style of furniture and equipment must be sympathetic to (in keeping with) and complement the local street scene (**Reason: public and visual amenity**).

(ii) Materials, patterns, colours and style of furniture and equipment must be subdued and natural so that they sit comfortably in the streetscape and must not be too bright, loud or garish (**Reason: public and visual amenity**).

NB: *If the permitted area(s) is / are within a conservation area and / or are located immediately adjacent to a listed building, the licensing authority may stipulate the colours that may be used.*

(iii) Furniture and equipment must not be overly reflective. This is inclusive of banners, umbrellas, canopies and similar objects which must be of canvass, cloth or similar non-reflective material (**Reason: public and visual amenity, public and highway safety**).

1.9. (i) All furniture and equipment in any one permitted area must, so far as is reasonably practicable, be of the same design range, pattern, style and colour scheme. Variation in design e.g. chairs with or without arms, will only be acceptable if from the same design range and of the same general style etc (**Reason: public and visual amenity**).

(ii) Other equipment that cannot be purchased as part of a given design range of furniture must be of a type, material, pattern and colour that compliments the chosen furniture style (**Reason: public and visual amenity**).

1.10. CRIME & SECURITY

1.11. Subject to the general design requirements of this specification, tables and chairs etc must be of such design and construction or otherwise be fitted with suitable features that help deter crime (**Reason: prevention of crime and disorder**).

1.12. In particular:

(i) Where appropriate, given the nature, location and layout of the permitted area, chairs shall have rounded backs (not square backs) so as to reduce the ability of users to hang bags and coats upon them where they may be vulnerable to bag snatching, pick-pocketing and opportunistic crimes etc (**Reason: prevention of crime and disorder**).

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- (ii) Where appropriate, given the nature, location and layout of the permitted area, tables shall be fitted with shelves or net bags below the tabletop so as to enable users to store personal belongings (e.g. bags and coats) so they are less vulnerable to bag snatching, pick-pocketing and opportunistic crimes etc **(Reason: prevention of crime and disorder)**.
- (iii) Where appropriate, given the nature, location and layout of the permitted area, tables shall be fitted with suitable handbag hooks (e.g. 'Chelsea clips') to prevent bag snatching and similar opportunistic crimes etc **(Reason: prevention of crime and disorder)**.

NB: *Security measures (e.g. chains and similar devices) that affix to the highway and / or associated street furniture and are used to secure equipment / furniture from theft or unauthorised removal from the permitted area will not usually be considered acceptable; as such measures may present a safety hazard and/or otherwise cause damage to the highway.*

- 1.13. Where alcohol is to be supplied, barrels, tall drink stands and / or other such objects / facilities that encourage vertical drinking or consumption while standing will not usually be considered acceptable **(Reason: prevention of crime and disorder, prevention of public nuisance)**.

1.14. ACCESSIBILITY

- 1.15. All furniture and equipment (including tables) shall, so far as is reasonably practicable, be designed, constructed and / or otherwise located so that they can be conveniently used and, in the case of signs and menu boards etc, be conveniently read, by wheelchair users and other disabled people **(Reason: public amenity)**.

NB: *For this reason, picnic benches and similar access restrictive facilities shall not usually be acceptable unless suitably modified / adapted.*

- 1.16. In respect of the above, it is recommended that furniture and equipment be easily adjustable in height and orientation where appropriate.
- 1.17. So far as is reasonably practicable and subject to the general design requirements of this specification, tables and chairs shall be moveable in order to permit access of wheelchair users, prams and pushchairs as required **(Reason: public amenity)**.

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1.18. PORTABILITY & STORAGE

- 1.19. (i) As it will need to be removed at the end of permitted hours, all furniture and equipment must be portable and capable of safe and secure storage in a place other than on the highway (**Reason: public amenity / safety**). For these reasons, it is recommended that furniture be of such nature and design that it can be easily folded or stacked and, as necessary, separable.
- (ii) As it may need to be removed in the event of emergency, all furniture and equipment must be capable of efficient and expedient removal from any permitted area of use (**Reason: public safety**).

NB: *Large benches, picnic tables and similar integral objects are unlikely to be easily moved and / or stored and shall not therefore usually be considered acceptable.*

1.20. BARRIERS & ENCLOSURES

- 1.21. Except for suitable points of access and egress, any permitted area(s) must be suitably enclosed in order to contain permitted furniture and equipment, clearly demarcate the permitted area(s) in question, create defensible space to deter crime (e.g. bag snatches), and otherwise guide pedestrians and passers-by; particularly those who are blind or visually impaired (**Reason: public and highway safety, prevention of crime and disorder, public and visual amenity**).
- 1.22. Subject to the general design requirements of this specification and the following matters, the means of enclosure is open to discretion (e.g. banners, mesh, trellis, panels, suitable planters etc). However:
- (i) the means of enclosure must not create a tripping hazard (so far as is reasonably practicable) and shall not otherwise be lower than 800mm from the ground (**Reason: public and highway safety**);
- (ii) the means of enclosure must not obscure traffic and street signs, landmarks and / or the street scene in general or otherwise be higher than 1200mm from the ground (**Reason: public and visual amenity, public and highway safety**);
- (iii) the means of enclosure must be of such construction as to comprise or include a suitable, solid, low-level tapping rail (located between 100mm and 150mm from the ground) designed to forewarn and / or guide the blind and those with visual impairments of its presence (**Reason: public and highway safety**);

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- (iv) the means of enclosure must be of contrasting colour to other furniture so as to aid, guide and / or forewarn the partially sighted and those with visual impairments of its presence (**Reason: public and highway safety**);

NB: *If the permitted area(s) is / are within a conservation area and / or are located immediately adjacent to a listed building, the licensing authority may stipulate the colours that may be used.*

- (v) any visibility panel(s) to the means of enclosure must be contrasting in colour to the pavement and other furniture so as to aid, guide and / or forewarn the partially sighted and those with visual impairments of its presence (**Reason: public and highway safety**);

- (vi) where tables and chairs are provided on steps, significant inclines or slopes, the means of enclosure must be of such construction as to comprise or include a suitable handrail between 1000 – 1200mm above ground level which is reasonably smooth and rigid enough to aid, guide and / or support customers and / or pedestrians (**Reason: public and highway safety, public amenity**);

- (vii) the means of enclosure must be reasonably rigid and capable of resisting pedestrian collision (**Reason: public and highway safety**).

1.23. In view of the above, the following barriers and enclosure types shall not usually be considered acceptable:-

- (i) **Post and Chain barriers** – are considered to be potentially hazardous to pedestrians, particularly the visually impaired (**Reason: public and highway safety**).
- (ii) **Hoop top garden style fencing** – is considered too flimsy, of insufficient height, strength and stability and usually poses a serious trip hazard (**Reason: public and highway safety**).
- (iii) **Use of a variety of small plant tubs** – generally untidy and considered inadequate as a means of enclosure, defensible space or as a guide for the visually impaired (**Reason: public and highway safety, crime and disorder, public and visual amenity**).

1.24. As the permitted area(s) must revert back to use as a public highway at the end of permitted hours each day, permanent barriers shall not be permitted.

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1.25. SPACE HEATERS & HEAT SOURCES

- 1.26. Heat producing equipment must not be used as a means of enclosure or otherwise be located on the boundary of any permitted area(s). In all cases, such equipment must be located in a suitable and safe area within any permitted area(s) (**Reason: public and highway safety**).
- 1.27. All gas cylinders used to fuel heat producing equipment must be fitted with a suitable non-return valve by a competent person (**Reason: public and highway safety**).

1.28. PLANTERS

- 1.29. Where provided, planters must be substantial, convincing and well stocked; the plants within them must be well maintained in good condition throughout all seasons (**Reason: public and visual amenity**).
- 1.30. By way of promoting the public enjoyment of the local street scene, it is recommended that planters contain fragrant sweet-smelling plant varieties.
- 1.31. Planters must not create a tripping hazard (so far as is reasonably practicable) and, regardless of the height of any plants within them, planter containers shall not otherwise be lower than 600mm from the ground (**Reason: public and highway safety**);

1.32. UMBRELLAS, CANOPIES, PARASOLS & SIMILAR

- 1.33. (i) Further to 19.4 above, umbrellas, canopies, parasols and similar facilities must be stable and robust enough and / or suitably secured to withstand strong draughts and winds without toppling over or otherwise being blown away (**Reason: public and highway safety**).
- (ii) Without prejudice to the above, umbrellas, canopies, parasols and similar facilities must be capable of being folded down and/or removed (including during permitted hours where appropriate) during inclement weather (**Reason: public and highway safety**).
- 1.34. Umbrellas, canopies, parasols and similar facilities must not overhang footways or outside permitted area(s), interfere with the free passage of pedestrians or vehicle driver sight lines or otherwise obscure traffic or other street signs (**Reason: public and highway safety, public and visual amenity**). Account should therefore be taken of their size, height and width when opened.
- 1.35. Further to 19.8 above, umbrellas, canopies, parasols and similar facilities must be of canvass, cloth or similar non-reflective material (**Reason: public and visual amenity, public and highway safety**).

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1.36. ADVERTISING, SIGNS & LOGOS

- 1.37. As advertising can be distracting and is, by its nature, competitive to its surroundings, advertising will not normally be permitted on any furniture or equipment otherwise than in accordance with 19.38 below **(Reason: highway safety, visual amenity)**.
- 1.38. Subject to the general design requirements of this specification and 19.39 below, only the name, sign or logo of the business to which a permit relates shall be permitted on the barrier / enclosure of any permitted area(s) so as to identify the business concerned **(Reason: public and visual amenity)**.
- 1.39. Subject to planning permission and / or controlled advertisement consent where necessary, a name, sign or logo:
- (i) may be displayed at a maximum of two locations on any one side of a permitted area that is oblong or triangular in nature. The name, sign or logo may be displayed at a maximum of four locations on any one side of a permitted area that is circular or similar in nature. **(Reason: visual amenity)**.
 - (ii) must be reasonably small and discrete and relate only to the business concerned; being no more than **150mm** high **(Reason: visual amenity)**.
- 1.40. Tables and chairs, umbrellas, canopies, parasols & similar (other than those affixed to the business premises concerned) shall be kept free of advertising **(Reason: visual amenity)**.
- 1.41. Brand names, brewery logos and similar advertising shall not be permitted **(Reason: visual amenity)**.

1.42. POWER SUPPLY

- 1.43. Where tables and chairs etc are to be placed adjacent to the business premises to which they relate i.e. at the back of the footway along the relevant building line, mains electrical power may be supplied from the permanent business premises to which the permit relates providing:
- (i) All equipment and wiring is of a suitable nature, type and construction for outdoor use (including wet environments);
 - (ii) All equipment and wiring is installed and maintained by a competent person;
 - (iii) All equipment and wiring is installed, maintained and operated in accordance the Health & safety at Work etc Act 1974 and associated Regulations;

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- (iv) There are no cables laid or running along the ground within any permitted area(s) or otherwise on the highway;
 - (v) all electrical equipment is served by a suitable 30 milliamp automatic circuit breaker situated within the premises between the point of supply and the said equipment (**Reason: public and highway safety**).
- 1.44. (i) Subject to the following, where tables and chairs etc are to be placed in the centre of the street i.e. separate from the business premises to which they relate, mains electrical power will not normally be permitted to be supplied directly from the permanent business premises due to trailing or over head cables and associated hazards (**Reason: public and highway safety**).
- (ii) Where tables and chairs etc are to be placed in the centre of the street i.e. separate from the business premises to which they relate, the use of mains electrical power will normally only be permitted where supplied from a suitable and adjacent supply point in the street specifically installed and provided by the Highways authority for that purpose (**Reason: public and highway safety**) providing:-
- (i) All equipment and wiring is of a suitable nature, type and construction for outdoor use (including wet environments);
 - (ii) All equipment and wiring is installed and maintained by a competent person;
 - (iii) All equipment and wiring is installed, maintained and operated in accordance the Health & safety at Work etc Act 1974 and associated Regulations;
 - (iv) There are no cables laid or running along the ground within any permitted area(s) or otherwise on the highway;
 - (v) all electrical equipment is served by a suitable 30 milliamp automatic circuit breaker situated between the point of supply and the said equipment (**Reason: public and highway safety**).
- 1.45. No electrical generators shall be permitted on the highway (**Reason: public and highway safety, prevention of public nuisance, public health and ensuring public amenity**).
- 1.46. LIGHTING**
- 1.47. In hours of darkness, the licensing authority will expect proposed / permitted area(s) to be suitably and sufficiently lit.

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1.48. Lighting equipment must, so far as is reasonably practicable, be correctly sited and adjusted so that it only illuminates the surface(s) intended and does not unreasonably throw light onto neighbouring property or cause visual intrusion.

1.49. Accordingly, lighting must be provided with properly designed screens, baffles, hoods and / or louvers to control the beam and / or fitted with such other feature(s) designed to control the intensity and direction of light as may be appropriate.

1.50. Disclaimer

1.51. Notwithstanding anything detailed in this specification, the permit holder is responsible for the safety and suitability of use of all items placed on the highway. Permit holders are therefore responsible for ensuring that all such items are sufficiently robust and well maintained for their purpose. Permit holders are also responsible for the health and safety aspects relating to the portability and handling procedures adopted in each case.